

technically he is right. It need not be on paper. But, Mr. President, it ought to be on paper. The President said that he was content to conclude arms reduction talks with nothing more than a handshake. Nothing more than a handshake.

Now, that is troubling me. If I sell a piece of property or if I buy a piece of property, I will shake hands with the person who buys my property. I will shake hands with the person from whom I buy property. But there will also be a deed and it will be registered at the courthouse in the county where the property exists. There will be a handshake—that is fine. A handshake carries with it the indication of honor. “It is an honor to deal with you—it is a pleasure, I have enjoyed doing business with you.” But it is that deed that is in writing that assures my grandchildren, and their children if necessary, that that property, that transfer of property is on record.

So I say again, the President said—he is reported to have said that he was content to conclude arms reduction talks with nothing more than a handshake. Are you? Are you, the people who are watching this Senate floor through those electronic eyes behind the Presiding Officer, are you content? Are you content that arms reduction talks be concluded with nothing more than a handshake?

We are closing in on a historic compact, and I cannot understand why this agreement should not be done as a formal written treaty. That would require a two-thirds vote, yes. But a simple handshake leaves many questions unanswered. I would like to see one or both Houses of the Congress having some say in that, and backing up that handshake, if needed, with their votes, the representatives, the elected representatives of the people.

A simple handshake leaves many questions unanswered. What will happen to the nuclear warheads once they are removed from their missiles? I must note that in this year's budget request, the Administration cut more than \$131 million from the programs that keep these powerful weapons from falling into the wrong hands. How will we verify? How will we verify that Russia carries out its arms reductions, and how will Russia, how will President Putin verify that we carry out ours? That we are carrying out our arms reduction? It was Ronald Reagan himself that said, “Trust, but verify.” In other words, yes, shake hands. But verify.

And what will happen to the agreement when President Bush and President Putin leave office? President Bush under the Constitution can serve 3 more years after this year, and if he is then elected again, he can serve 4 more years. But who knows what the attitude of his successor will be. If there is no treaty, no formal agreement in which this Senate, or on which the Senate and House—whichever type of agreement it might be—has been able to put a stamp of approval, who knows

what his successor might say. Or who knows how the successor to Mr. Putin might feel about it. A written treaty could provide clear answers to each of these important questions.

It would be a real mistake to make such an important international agreement in any other form, I think, than a treaty. We do not need fly-by-night arms control. We need arms control measures that are carefully examined to support our national security. We do not need hush-hush agreements with other countries on our nuclear weapons. We need public confidence in our military and foreign policy. Lacking the full confidence of the public, an informal agreement on nuclear arms and national missile defense is not worth the paper that it is—or is not—written on.

President Franklin D. Roosevelt once said, “Treaties are the cornerstones on which all relations between nations must rest.” Treaties are useful in clearly elaborating the responsibilities of each party, and formal ratification of treaties indicate a country's full acceptance of those responsibilities. The Founding Fathers of this country The Constitution and made reference to treaties in that Constitution, understood that, and that is why they secured for the Senate advice and consent responsibilities to any treaty made by the President.

We should not turn away from this treaty-making process for the simple convenience of the executive branch.

The Kings of England make treaties. The Kings of England have always made treaties. But this country has no King. This Republic has no King. Gentlemen's agreements on matters as important as international security or the control of weapons of mass destruction are simply not sufficient to inspire the confidence of the public in this or other countries. By making treaties, with the advice and consent of the Senate, the United States shows itself to be a reliable ally to our friends, and a principled actor to our opponents.

We should also consider the President's role in conducting our foreign policy, and his role as commander-in-chief. Is his hand in conducting future negotiations with Russia, in the case of the ABM Treaty and nuclear arms reduction, or with the other nations of the world, in the case of the Biological Weapons Convention, the Kyoto Protocol, and a host of other treaties, strengthened if he concludes these types of agreements without the advice and consent of the Senate?

Is his hand strengthened if he doesn't have the advice and consent of the U.S. Senate standing behind him? No. I don't think his hand would be strengthened. I would think just the opposite.

Senate approval or ratification of important international agreements is a signal to all the world that our nation not just a branch of our government approves of and will carry out those

agreements negotiated by the President. Senate approval of important treaties, such as a protocol to the Biological Weapons Convention or a new strategic agreement with Russia would strengthen the Chief Executive's hand to negotiate from a position of strength on other international matters, such as the Kyoto Protocol, possible NATO expansion, and future arms control treaties.

So I say that legally and technically, the President might not need to have it written on a piece of paper. Legally and technically, he may be able to do it with a handshake.

Let me say again that I am not proposing that we shouldn't reduce our nuclear weapons stockpile. I am not proposing that at all. I think the MX missile, for example, is old, and we shouldn't continue to keep that around. But a handshake is not enough. I don't rest easy. Do you, Mr. President? I am saying to the Presiding Officer, and I am saying to other Senators, would you rest easy with just a handshake in a matter of this nature?

The two issues I have just discussed, the Biological Weapons Convention and our strategic situation with regard to Russia, are very important to the security of our country. The United States must take a leadership position on these issues to crack down on the use of germs and viruses as weapons, and to clarify our relationship with the nation that has emerged from our Cold War opponent. These matters cannot rest on voluntary measures or unwritten pacts. I urge the Administration to pursue formal agreements on these issues in order to recognize their importance to Americans and the world.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

#### THANKSGIVING

Mr. BYRD. Mr. President, nearly 4 centuries ago, a courageous little group of people left their homeland, boarded a small, flimsy sailboat—it was not a steamboat; it was a sailboat, a sail ship—and they journeyed across a mighty ocean, and settled in an inscrutable unfriendly wilderness. They did all of this, took all of these risks.

Think about the risks that they took. They did not have any cell phones. They did not have any radios. They did not have any weather predictors. They did not have any newspapers to tell them what might lie ahead or what the weather conditions might be 24 hours away. They did not have any hospitals nearby. But they had faith. They had the guiding light of God's word. Many of them took all these

risks so that they could go to church, the church of their choice. Think about it. How many of us today have difficulty getting up on Sunday morning in order to go to church? I do. Ah, how I like to lie in bed on Sunday morning. My little dog Billy gets me up many times, or that alarm clock does. But I like to go back to bed on Sunday morning. Can't do it on Monday, you see. Can't do it on Tuesday. But Saturday and Sunday—ah, Sunday.

How many of us do not like to walk those few blocks or drive those few miles to go to church? But here were the Pilgrims, crossing a vast ocean—2,500 miles, 3,000 miles—a vast body of water, facing the darkest of unknowns. They did not know what would lie in wait for them. They knew it would be a long time before they could get back home, and perhaps there would not be friendly winds that would bring their sail ships back home. They faced the darkest of unknowns just to preserve the sacred right to worship as they pleased, or not to worship, to go to this church or that church, the church of their choice. Many of them came for that reason only.

Stop and think about it. Doesn't one stand in awe, absolute stark awe, as one thinks of the courage of those men and women to strike out across the stormy deep, in awe of their courage and their devotion to God? One cannot help but be awed by that courage that they had to go against odds, to face hunger and deprivation and danger, to be away from their loved ones there in the British Isles or in the Netherlands or in Germany or in France or Italy, or wherever, to leave those friends and relatives, those loved ones, perhaps forever, not knowing whether they would ever in this world see those loved ones, those friends, those acquaintances again.

The journey was not easy. Turbulent weather, including rough winds and strong currents, forced the Pilgrims to anchor at Cape Cod, MA, far north of their destination and well outside the boundaries of their patent. This meant that, once on land, there would be no legal authority or government over them.

Therefore, before disembarking, the Pilgrim leaders assembled together all the adult men who made the journey on the Mayflower in order to formulate a government.

It was a covenant. One might call it a contract. I prefer to call it a covenant. Drawing upon their church covenant which vested religious authority in the congregation, they established a form of self-government.

It seemed simple enough, but little could these men aboard the Mayflower that fateful November night in 1620 have realized the mighty forces that they were unleashing. By binding themselves into a "civil body politic," by giving themselves the power to enact laws for the common good, and obligating themselves to obey such laws, the Pilgrims were establishing

the fundamental, the basic principles of democracy in America, namely a belief in self government, the rule of law, and government by mutual consent.

The Pilgrims had also established that the government of their new world would be a government under God. The Mayflower Compact made this intent perfectly clear as it read, in part:

In the name of God, amen, we whose names are underwritten . . . Having undertaken for the Glory of God . . . Do by these Presents, solemnly and mutually in the Presence of God and one another, covenant and combine ourselves together into a civil Body Politic, for our better Ordering and Preservation.

There you have it. These were our forebears. The next year, these same men and women established the custom of gathering together each year to express their gratitude to God for protecting them, for the harvests that their labors had brought forth in the new land, and for the preservation of their community.

In the middle of October of 1621, a group of hunters sent out by Governor Bradford brought back a great store of wild turkeys. I can just see them. They wouldn't go the back streets with this big bundle of turkeys they had shot. No, they would go the front street, wouldn't they? They would go right down front street so that everybody could see the turkeys they had bagged, a great store of wild turkeys. When these were added to the collection of lobsters and clams and fish and corn and green vegetables and dried fruits that the community had collected, the Pilgrims had the makings of a great feast. Hot diggity dog, they had it, didn't they. They had something good to eat. Yes, indeed. So they invited their neighbors to join them in a day of celebration and worship and in a common giving of thanks.

Two years later, in 1623, the Pilgrims made this day of thanks, feasting, and worship a tradition. The spirit of that glorious day, which some people recognize as the first official Thanksgiving, was captured in a proclamation attributed to Governor Bradford. That proclamation read in part—let us read it together:

Inasmuch as the Great Father has given us this year in an abundant harvest of Indian corn, wheat, peas, squashes and garden vegetables, and made the forest to abound with game and the sea with fish and clams, and inasmuch as he has . . . spared us from the pestilence and granted us freedom to worship God according to the dictates of our own conscience, now I, your magistrate, do proclaim that all ye Pilgrims, with your wives and ye little ones, do gather at ye meeting house, on ye hill, between the hours of nine and twelve in the daytime on Thursday, November ye 29th, of the year of our Lord one thousand six hundred and twenty-three, and the third year since ye Pilgrims landed on ye Plymouth Rock, there to listen to ye Pastor and render Thanksgiving to ye all Almighty God for all his blessings.

"Thanksgiving day," wrote President John Kennedy, "has ever since been part of the fabric which has united Americans with their past, with each

other, and with the future of mankind."

Thanksgiving has become one of America's oldest and most beloved holidays. It is one of our most important holidays. It has become a day devoted to turkey, mashed potatoes, and cranberries. I can tell these pages to savor that day when they can meet at mom's house and have all these goodies. They are not going to Shoney's or some other restaurant. They are going to eat with mother or grandmother, with their parents, with their brothers, with their families.

It has become a day devoted to turkey, mashed potatoes, cranberries, family togetherness, football games, parades, and the beginning of the Christmas holiday season. But it also remains a day that should be devoted to God and country because it always has been.

During the American Revolution, following the important American victory over the British at the Battle of Saratoga in October 1777, which marked a turning point in the war, the Continental Congress approved a resolution proclaiming December 1 as a day of "Thanksgiving and praise." You see, our fathers did not forget. Our fathers and mothers remembered the great God of heaven. They remembered the God who had watched over them through that perilous trek across the deep waters and had protected them in their homes and the forests, had provided food and sustenance for them. They remembered. They gave thanks to him.

Following the establishment of the new Government of the United States in 1789, President George Washington issued a "Thanksgiving Proclamation" designating Thursday, November 26, as a "day of public thanks-giving and prayer to be observed by acknowledging with grateful hearts the many favors of Almighty God." This is George Washington. This isn't ROBERT BYRD. This is George Washington, our first President, the greatest of all, George Washington. "By acknowledging with grateful hearts," he said, "the many favors of Almighty God, especially by affording them an opportunity peaceably to establish a form of government for their safety and happiness." Those were George Washington's words. At President Washington's request, Americans assembled in churches on the appointed day and thanked God for his blessings.

One thing, if I forget all else, that I will always remember about President Eisenhower is this: In his first inaugural address, he, Dwight D. Eisenhower, prayed. In his first inaugural address, President Eisenhower prayed. I shall never forget that, and I shall never fail to honor him for that. Dwight D. Eisenhower prayed a prayer in his first inaugural address.

During the American Civil War, following the bloody battle of Gettysburg that marked a turning point in that war, President Abraham Lincoln asked the people of the United States to set

aside the last Thursday of November "as a day of thanksgiving and praise to our beneficent Father." This was Lincoln, not ROBERT BYRD. "In the midst of a civil war of unequal magnitude and severity," President Lincoln proclaimed the country should take a day to acknowledge—listen to his words—the "gracious gifts of the most high God, who, while dealing with us in anger for our sins, hath nevertheless remembered in mercy."

Two towering Presidents, Washington and Lincoln, humbled themselves to call upon God's name and to give him thanks.

This year, as was 1863, has been a year of tragedy and adversity for our Nation. We again find ourselves at war. Because of this, on this Thanksgiving, as in 1863, there will be too many empty chairs at the table. Nevertheless, as in 1863, we should recognize that there is so much for which to be thankful.

While I recognize that today, as in 1863, we live in a time of uncertainty and danger, we should all be thankful that the American people have the steadfastness and the determination to move forward.

While I recognize that many young American men and women will spend this holiday in harm's way protecting our country and protecting the values we hold dear, we can all be thankful we do have the best, the bravest, and the most determined Armed Forces—and always have had—in the world, Armed Forces that are now fighting the scourge of terrorism. I am thankful we live in a country that can confront a crisis with strength and moral certainty, without forcing us to abandon the very principles and values that we hold most dear.

Like President Washington, I am thankful for "the many favors of Almighty God," including a government that ensures our "safety and happiness."

Like President Lincoln, I am thankful for the "gracious gifts of the most high God, who, while dealing with us in anger for our sins"—and there are many—"hath nevertheless remembered mercy."

Finally, I am thankful for those men and women, who, 381 years ago, had the courage, the faith, and the devotion to God to challenge the most difficult and dangerous of journeys and face the darkest unknown. They left friends and homes and warm hearths to launch out upon a dangerous, deep journey, led and guided only by the faith they had in a higher power and a desire to create a new home where they could go to the church of their choice. Thank God for them.

On this Thanksgiving, let us remember:

Our fathers in a wondrous age,  
Ere yet the Earth was small,  
Ensured to us an heritage,  
And doubted not at all  
That we, the children of their heart,  
Which then did beat so high,

In later time should play like part  
For our posterity.  
Then fretful murmur not they gave  
So great a charge to keep,  
Nor dream that awestruck time shall save  
Their labour while we sleep.  
Dear-bought and clear, a thousand year  
Our fathers' title runs.  
Make we likewise their sacrifice,  
Defrauding not our sons.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. DAYTON). The Senator from Delaware is recognized.

#### SIGNIFICANT STRATEGIC ISSUES

Mr. BIDEN. Mr. President, I compliment the distinguished leader—and he is still my leader—the chairman of the Appropriations Committee, Senator BYRD, on his speech and his remembrance relative to Thanksgiving.

I also rise to compliment him on his speech that I only heard in my office relating to strategic doctrine and strategic weapons. Quite frankly, I am a little embarrassed. I thought he was going to make the Thanksgiving speech first. I wished to be here for his comments on what is going on now in Crawford, TX, with President Bush and President Putin.

Today, I think we all agree we have an opportunity to reach a reasonable agreement with the Russians on the three most significant strategic issues of our day: missile defense, strategic arms reductions, and nonproliferation. Senator BYRD and I and others have had a chance to meet with Mr. Putin in a larger group. Based on private discussions with him and on reports of what he has said in his meetings with President Bush, it seems as though genuine progress has been made in the summit this week between President Bush and President Putin.

I respectfully suggest—and I believe the President would probably agree—that much more needs to be done. It seems to me that, in conjunction with what Senator BYRD said earlier, it is vital for us to continue to make progress, and it is equally vital that the United States refrain from actions that would make further agreements on these vital issues difficult, if not impossible.

President Bush has made clear—in the ten months since he has been President—his determination to proceed on the development of a limited missile defense system, despite any limitations in the Anti-Ballistic Missile Treaty of 1972. Now, we have had very conflicting accounts from his representatives in the administration before the Intelligence Committee, the Armed Services Committee, and the Foreign Relations Committee as to whether or not they were "prepared to break out of the ABM treaty" based on planned testing, or needed testing, to further determine the feasibility of a limited missile defense.

But one thing has come through consistently: President Bush has stated his determination to do whatever it

takes to develop a limited missile defense. Obviously, Russian officials have heard him, and they understand his determination to proceed.

But—and it is a big but—President Putin, in his discussion with some of us Senators and in his public statements, has made it clear that he still considers the ABM Treaty a critical element in the agreements that govern strategic relations between the United States and his country.

President Bush and President Putin seem to have achieved a personal rapport over the last 6 months that bolsters President Putin's confidence that we mean no harm to Russia. I have said before, somewhat facetiously but only somewhat, that as a student of history—although not to the extent of my friend from West Virginia, and I mean that seriously—I cannot think of any Russian leader, other than a tsar Peter the Great, who looked further west than this gentleman, Mr. Putin, seems to be looking.

He seems to have made a very fundamental and significant decision that the future of his country lies in the West. He has taken some political chances at home. How significant they are, we do not know, but nonetheless, he has, to use the vernacular, stiffed both the browns and the reds, the nationalists and the former Communists, in making such a dramatic statement about his intentions to live and thrive in the West. He has even dismantled Russia's listening post in Cuba as a demonstration of the lack of feeling of hostility toward the United States.

I will say that President Bush has succeeded in communicating to the President of Russia that we mean no harm; that the Cold War is over. In fact, Secretary Powell said in Asia that the post-Cold War is also over. This is the opportunity for a fundamental new beginning. But the beginning does not necessarily mean the end, and clearly to Putin it does not mean the end, to the ABM Treaty. President Putin appears to have internalized President Bush's assertion that he is not an enemy and that Russia is not an enemy—but President Putin is still unwilling to bend the ABM Treaty.

He is willing, however, to let the United States proceed with the testing and development of missile defense, so long as the ABM Treaty remains in force. That seems to me to be a sensible arrangement.

The part that gets difficult is the part to which the Senator from West Virginia spoke. If, in fact, we are, in practical terms, about to amend the ABM Treaty—this is a government with equal branches—that is something about which we in the Senate get to have a say. We should be in on that deal, as Russell Long used to say. That is a deal we should be in on.

I am very happy the President appears not to be intent at this moment on withdrawing from the ABM Treaty,